

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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| ARACELIS CORREA-HARRIS, | : | MISC. NO. 1:08-MC-0205 |
| | : | |
| Plaintiff | : | (Judge Conner) |
| | : | |
| v. | : | |
| | : | |
| YAMAHA MOTOR CORPORATION, USA, <i>et al.</i>, | : | |
| | : | |
| Defendants | : | |

ORDER

_____AND NOW, this 18th day of August, 2008, upon consideration of the motion to enforce subpoena (Doc. 1), and it appearing that the motion pertains to a matter commenced in the United States District Court for the District of the Virgin Islands, that the subpoena attached to the motion has not yet been served, and that the motion requests that the court “reinforce[]” the subpoena and “allow[] service” thereof, (Doc. 1 at 2), and the court concluding that a party need not seek leave of court to serve a subpoena under the authority of a court outside of the judicial district in which the party has commenced an action, see FED. R. CIV. P. 45(a)(3)(B) (stating that “[a]n attorney . . . may issue and sign a subpoena as an officer of[] a court for a district where a deposition is to be taken or production is to be made, if the attorney is authorized to practice in the court where the action is pending”); see also id. advisory committee’s note (“Any attorney permitted to represent a client in a federal court . . . has the same authority as a clerk to issue a subpoena from any federal court for the district in which the subpoena is served and enforced.”), it is hereby ORDERED that:

1. The motion to enforce subpoena (Doc. 1) is **DENIED** as moot. Plaintiff shall be permitted to serve the subpoena in accordance with Rule 45 of the Federal Rules of Civil Procedure.
2. The Clerk of Court is instructed to **CLOSE** this matter.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge